



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David M. Pepper,
et al.

) Re: Supplemental
) Declaration/Power
)
) Group: not yet assigned
)
) Examiner: not yet assigned
)
) Our Ref: B-4077 618504-4
)
) Date: December 4, 2003

Serial No.: 10/661,028

Filed: September 11, 2003

For: "OPTICAL RETRO-REFLECTIVE
APPARATUS WITH MODULATION
CAPABILITY"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Supplemental Declaration/Power of Attorney form executed by the Applicants in connection with the above-identified application is respectfully submitted herewith. Please note that the enclosed Supplemental Declaration/Power of Attorney form has been executed and dated by both inventors.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on December 4, 2003 by Avelyne Malonzo

Avelyne Malonzo

Respectfully submitted,



Ross A. Schmitt
Attorney for Applicant
Reg. No. 42,529

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Enclosures: Supplemental Declaration/Power (4 pages)

Attorney's Docket No. B-4077 618504-4

COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR CIP)

DEC 08 2003

As a below named inventor, I hereby declare that:

TYPE OF DECLARATIONThis declaration is of the following type: (*check one applicable item below*)

nonprovisional
 design
 supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

national stage of PCT

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION, OR CIP.

divisional
 continuation
 continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

"OPTICAL RETRO-REFLECTIVE APPARATUS WITH MODULATION CAPABILITY"

SPECIFICATION IDENTIFICATIONthe specification of which: (*complete (a), (b) or (c)*)

(a) is attached hereto.
 (b) was filed on 11 September 2003 as Serial No. 10/661,028
 or Express Mail No., as Serial No. not yet known, _____
 and was amended on _____ (*if applicable*).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

(c) was described and claimed in PCT International Application No. _____
 filed on _____ as amended under PCT Article 19 (1)
 on _____ (*if any*).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code Federal Regulations § 1.56.

[] In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) [X] no such applications have been filed.
(e) [] such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN(S)) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN(S)) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. Section 119(e))

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*List name and registration number*)

CUSTOMER NO.: 36716

(check the following item, if applicable)

[] Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

(Name and telephone number)

Richard P. Berg, Esq.
c/o LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036-5679

Richard P. Berg

(323) 934-2300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of **sole or first inventor** David M. Pepper

Inventor's signature X

Date X Oct. 7 2003 Country of Citizenship U.S.A.

Residence 3925 Latigo Canyon Road, Malibu, California 90265

Post Office Address _____ (same as residence)

Full name of **second inventor** Keyvan Sayyah

Inventor's signature X K. Sayyah

Date X 10-7-03 Country of Citizenship U.S.A.

Residence 1133 24th Street #12, Santa Monica, California 90403

Post Office Address _____ (same as residence)

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGES(S)

WHICH FORM A PART OF THIS DECLARATION

[] Signature for third and subsequent joint inventors. *Number of pages added* ____

[] Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* ____

[] Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* ____

[] Added pages to combined declaration and power of attorney for divisional, continuation, continuation-in-part (CIP) application. *Number of pages added* ____

* * *

[] Authorization of attorney(s) to accept and follow instructions from representative.

* * *

(If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.)

[X] This declaration ends with this page.